

# KENTUCKY

[No. 595.]

WEDNESDAY,

LEXINGTON: PRINTED BY JOHN BRADFORD,



# GAZETTE.

February 14, 1798.

[Vol. XI.]

PRINTER TO THE COMMONWEALTH.

GEORGE TEGARDEN,  
Has just Received and is now open-  
ing, a large and general assortment  
of

## MERCHANDISE;

CONSISTING OF

Dry Goods, Groceries, Hard  
Ware, Queen's Ware &c.

Which will be disposed of on the  
most moderate terms for CASH.

December 27, 1797.

## FOR SALE,

1250 Acres of LAND.

SIX hundred and sixty-six acres on  
Tramels creek, a branch of Big  
Barren, adjoining the lands of Mont-  
gomery and Allen, on the 15th of De-  
cember next, and 584 acres at the  
mouth of Punchon camp creek, on  
Big Barren river, adjoining the lands  
of Christopher C. DeKlanan, on the  
18th of said month, on which days I  
will attend on said lands for the pur-  
pose of selling.

DAVID KERR.

November 15, 1797.

## NOTICE,

By virtue of a power of attorney, executed  
by Mr. Reuben Curtis of the county of  
Henry in the state of Virginia, dated the 20th  
of August, 1797, authorizing me, the subscriber,  
to receive from Tunitl Quarles, etc. of this  
state, all the said Curtis's papers relative to a  
tract of land in Bracken county, purchased by  
him of Col. Philip Buckner; and certain debts  
due by different gentleman in this state, which  
power of attorney is recorded in the county  
court office of Bracken. I offer for sale at a rea-  
sonable low price.

7000 acres of valuable Land,

surveyed and patented in the name of Philip  
Buckner, lying on Lick creek and the waters  
of Licking, about twelve miles from Bracken  
court house. A specimen warrant need not be  
given, the said papers will be given, and the  
other half in likely houses, or good buildings.  
Col. Philip Buckner, near Bracken court house,  
will there or give information of the land of the  
title of which is indeterminate. Any person desirous  
of purchasing, will please apply to the sub-  
scriber, and in his absence to me. Tatham &  
Banks of Lexington.

paid William Moncure,  
Attorney in fact for Reub. Curtis.  
Lexington, Dec. 26, 1797.

## TRANSYLVANIA LIBRARY.

At a general meeting of the shars of the Trans-  
sylvania Library, February 3, 1798,

RESOLVED, That no forfeitures of shars  
take place prior to this time; provided, the  
delinquents pay to the Librarian the whole of  
their arrears by the first Saturday in June next.

Extract from the minutes.

THO. T. BARR, Clerk.

## NOTICE,

THAT commissioners appointed by  
the court of Mason county, will  
meet at an improvement made by  
Willis Edwards, on the Ohio river, about  
two miles below the mouth of Sci-  
otta, on Monday the 30th inst. in order  
to take the deposition of fundy wit-  
nesses, and perpetuate their testimony  
reflecting said improvement, and do  
such other acts as shall be deemed ne-  
cessary and agreeably to law.

NATHANIEL PETERS, &  
NATHANIEL ASHBY.

February 1st, 1798.

## NOTICE,

THAT commissioners appointed by  
the court of Mason county, will  
meet at Capt. Thomas Young's, in  
said county, on Thursday the 22d.  
inst. and proceed from thence to an  
improvement made by Nathaniel H.  
Triplett, in order to take depositions &  
perpetuate their testimony reflecting  
said improvement, and do such other  
acts as shall be deemed necessary and  
agreeably to law.

NATHANIEL PETERS, &  
NATHANIEL ASHBY.

February 1st 1798.

## NOTICE,

THAT commissioners appointed by  
the court of Mason county, will  
meet at the plantation of Mr. Francis Downing, on Hickman, four  
miles from Lexington, on the 23d instant, a dark  
bay horse, eight or nine years old, nearly fifteen  
hands high, a blaze and spot, two hind feet white.  
Whoever will deliver the said horse to Mr. Francis  
Downing, or to the subscriber, shall have the  
above reward.

George Heytel.

Lexington, April 28. tf3

JUST PUBLISHED,  
AND FOR SALE AT THIS OFFICE,  
The Kentucky English Grammar,  
BY SAMUEL WILSON.

## 36

### Last Notice.

ALL those indebted to the subscriber  
are once more requested to pay up their respective accounts. Al-  
so those indebted to West and Guthrie  
are requested to make payment to the  
subscriber, as that partnership is di-  
volved by mutual consent.

N. B. Nelson Thomas is author-  
ized to settle the above accounts.  
Sept. 27. EDWARD WEST

## 36

Wanted Immediately,  
A GOOD JOURNEYMAN SHOEMAKER,  
to whom the highest wages will be given,  
enquire of the printer.

September 6, 1797.

FOR SALE,  
A LARGE QUANTITY OF  
CORN, BACON AND WHISKEY.

Apply to  
A. HOLMES  
Lexington.

For Sale,  
THE FOLLOWING TRACTS OF LAND.

ON the 15th of December, 1797, of Campbell,  
on the waters of Lick creek, containing  
2699 acres. One tract, lying on Long Lick  
creek, a branch of Rough creek, Harrison county,  
about seven miles from Hardin settlement, con-  
taining 2520 acres.

The above lands will be disposed of at moderate  
terms; one half of the purchase money to be  
paid down, for the other a credit of twelve  
months will be given; the purchaser giving  
bond with approved security. Any person in-  
clined to purchase, may know the terms by  
applying to Capt. Robt. Graddock in Danville,  
or JOHN W. HOLD, who is in fact  
for THOS. HOLT.

NOTICE: Is hereby given to all whom it may  
concern, that we will petition the next  
court of Shelby county, for the establish-  
ment of a town on our land at the mouth of  
Bard's creek.

THOS. CARLSON,  
RICH'D. TAYLOR.

JUST PUBLISHED,  
AND FOR SALE AT THIS OFFICE—PRICE 9d.  
An Expeditious Letter

From EDWARD RUSSELL to George Washington  
of Mount Vernon.

Hughes and Fitzhugh,

HAVE for sale, at their Factory, near Hager-  
stown, Washington county, Maryland,  
A LARGE AND GENERAL ASORTMENT OF  
NAILS,

which they will dispose of on reasonable terms.  
March 20, 1797.

## WANTED IMMEDIATELY,

Two or three Apprentices  
To the Carpenter's and Shop Joiner's  
Business. Also two or three

Good Journeymen,  
House work, to whom generous  
wages will be given.

JOHN SPANGLER.

Lexington, April 12. tf

THE managers of the Lexington Chancery of  
Insurance, have authorized Mr. Samuel Poole-  
wait of Lexington, to receive any money  
due to him for the same to be paid to him, and to  
pay such sums as may be due to the holders  
of fortunate numbers;—wherefore, all those  
who are indebted are requested to make im-  
mediate payment.

THE MANAGERS.

Lexington, September 2, 1797.

Three Dollars Reward.  
Strayed from the plantation  
of Mr. Francis Downing, on Hickman, four  
miles from Lexington, on the 23d instant, a dark  
bay horse, eight or nine years old, nearly fifteen  
hands high, a blaze and spot, two hind feet white.  
Whoever will deliver the said horse to Mr. Francis  
Downing, or to the subscriber, shall have the  
above reward.

George Heytel.

Lexington, April 28. tf3

JUST PUBLISHED,  
AND FOR SALE AT THIS OFFICE,  
The Kentucky English Grammar,  
BY SAMUEL WILSON.

## 9

### For Sale,

FOR OUR OUT LOTS adjoining each  
other, situate in Lexington, on  
which is my brick yard, which is equal  
to that in any place in this place.  
Also a commodious brick dwelling  
house; the walls and work of which  
is superior to any in this place—with  
a never failing spring, convenient to the  
house, the water of which is of an  
excellent quality. I have also 8  
acres of WOOD LAND, adjoining the  
above lots. For terms apply to  
the subscriber on the premises.

JOHN BOB.

Lexington, December 27, 1797. tf

## 50

### Doctor Samuel Brown,

BEGS leave to inform the PUBLIC,  
that he will practice MEDICINE  
and SURGERY in LEXINGTON and its  
VICINITY—He occupies the house in  
which Mr. Love lately lived, opposite to  
Mr. Stewart's printing office.

He will undertake, on reasonable  
terms, to instruct one or two pupils  
who can bring good recommendations.

September 5, 1797. tf

## FOR SALE,

### Cash & Country Produce.

A TRACT of Land containing nearly 100  
acres, situated near the Kentucky river,  
in Ruff branch, two miles from Jack's creek  
road, and a mile from Tait's creek ferry: it has  
a good cedar log house almost new,  
around which is a fine garden, and is  
an excellent spring which is said to never fail;  
also two falls in Ruff branch, one of 40 and  
the other 60 feet, which would be convenient  
for Merchant mills: a distillery might be erected  
to advantage—The land is of good quality,  
and the title indispensible; it will be sold for  
a small part in Cash and the rest in Country  
produce.—Enquire of

POYZER & CO.

FULLING MILL.

## 3

### The Subscribers

INFORMS the public, that Mr. John Morris-  
on's Fulling Mills now at work, and that he  
carries on the Fulling and Dying Business at  
said mill in its various branches. He will at-  
tend at Mr. Jones's tavern in Lexington on the  
first day of every February, for the purpose of  
receiving cloth for the mill, and to deliver it  
when finished.

W. M. CAMPBELL.

January 26, 1798. 3t

## ALL

persons indebted to the late  
A firm of ALEXANDER & JAMES  
PARKER, are requested to take no-  
tice, that the accounts of said firm are  
put into the hands of Mr. John Arthur  
of Lexington, who is fully authorized  
to collect the same, and positively di-  
rected to bring suits against all those  
who do not settle their respective bal-  
ances either with said Arthur, or  
Alexander Parker, on or before the  
11th inst. we are compelled to this  
measure, as no attention has been  
hitherto paid to our notice on this oc-  
casion.

ALEXANDER PARKER,

JOHN COBURN, Ex'rs.

JOHN BRADFORD, Feb. 1st. 1798.

ON the first day of March next commissioners  
appointed by the court of Hardin county,  
will meet at the forks of Nolin creek  
in order to take depositions of certain wit-  
nesses, and perpetuate their testimony reflect-  
ing an entry of eight hundred acres of land  
entered in the name of Moses Broyles, and to  
do such other acts as shall be deemed necessary  
to establish the title to the same.

STEPHEN FISHER.

Atto. in fact for Moses Broyles.

January 28, 1798.

## 44

### SHOT

OF the different numbers, made by  
A. F. SAUGRAIN, in Lexington,  
and 1000 white and red, at 10s.  
DREW HOLMES'S STORE.

Lexington August 8.

## 2

### FOR SALE,

A likely Negro Man & Woman.  
Apply to the printer hereof.

## TRANSYLVANIA SEMINARY.

THE public are hereby informed that Ed-  
uation may now be had at the Transyl-  
vania Seminary, in as extensive a plan, and at  
moderate terms as at any school in the Union.  
The Greek and Latin languages will be taught  
there, together with Mathematics, Geography  
the Belles Lettres, and every other branch  
of Academic Education. The trustees have  
also made arrangements for, and will procure a  
French Teacher, whence there will be a suffi-  
cient number of Students desirous of acquiring  
that language. The terms of tuition to be  
paid per annum. Boarding may be had with  
Mrs. Richardson at the Seminary, and in other  
gentleman houses in Lexington, at the moderate  
rate of fifteen pounds per annum; one quarter  
to be paid always in advance—for this sum  
Students will be dieted, and their clothes  
washed and mended—they furnishing their own  
bedding, firewood and candles, in their own  
apartments.

R. BARR, Chm.

ALEXANDER PARKER

IAS just received from Philadelphia, in  
addition to his former assortment of mer-  
chandise, Leaf Sugar, Coffee, Hyson Tea, Allam-  
Nails, afford, German and Groc'y Steel, Saw  
and Tub Nails, from Fuller's Paper, and Dye Staff

It is no Joke.

AND those indebted to the subscriber will be  
affured of it, if they do not pay off their  
respective balances on or before the first day of  
March next.

JAMES B. JANUARY.

ALL those indebted to the estate of William  
Parker deceased, will make take notice that all the accounts of said estate will be put in  
to the hands of John Arthur, Esq. and will be  
settled with positive instructions to bring suits against  
all those who do not settle their respective bal-  
ances with him or the subscriber, on or before  
the 12th instant.

ALEX. PARKER, Adm.

Feb. 4, 1798.

## NOTICE.

The subscribers having con-  
tracted for erecting a machine for the purpose  
of moulding brick, in the town of Lexington &  
hereby give notice, that if any per-  
sons having a patent or other legal right for  
the invention and sole building of the said ma-  
chine, will come forward and make his or their  
right apparent, all just and legal premiums  
shall be discharged by us.

WALKER BAYLOR,

JOHN BOB,

THOS. HART,

THOS. ERIGOS.

Lexington, Kentucky, February 5, 1798.

## Notice

IS hereby given, that application will be made  
to the county court of Greene, for establish-  
ing a town on the lands of George Scott.

January 21, 1798.

## Entertainment.

The subscriber begs leave to inform the public  
that he has engaged a Hotel & Entertainment  
at the stand he occupies on Benjamin  
Kenny's, at the junction of the Ohio and  
Kentucky rivers, in the town of Port Washington;  
and that he is well prepared to store any quantity  
of goods, and affords himself that he will  
be able to merit the patronage of those who  
please to favor him with their custom.

THO. M'ROBERTS.

Port Washington, Dec. 18, 1797. 3t.

Take notice, that on the first day of March  
next, if any, not the next fair day, we shall  
attend with the commissioners appointed by the  
county court of Madison at the beginning cor-  
ner of the street, a little beyond the Lee's  
creek (formerly called McConnel's creek) entering  
an entry of eight hundred acres of land ter-  
minated in the name of David Boyles, lying  
there and there to perpetuate testimony, and  
to do such things as shall be deemed necessary  
and agreeable to law.

W.M. COOK,

SETH COOK,

ABRA. COOK.

I HEREBY give notice, that on the 22d day  
of February next, I shall attend with the  
commissioners appointed by the county court of  
Mason, at the place where an improvement was  
made for John Leverage on the waters of Lee's  
creek (formerly called McConnel's creek) and  
& there to take & perpetuate testimony tending  
to establish the special claim of an entry in my  
name, as affigee of William Bartlett, who was  
affigee of the said John Leverage—to include  
Leverage's improvement.

RICHARD JACKMAN,

January 22, 1798.

## Legislature of Kentucky.

A sketch of the debate in the House of Representatives, on Wednesday the 31st of January, on the bill for taking the sense of the people, as to the propriety of calling a Convention.

In a committee of the whole house on the state of the Commonwealth, Mr. Edwards in the chair, the Convention bill was taken up, when

Mr. Taylor rose. He began his observations by reading the eleventh article of the Constitution, which provides for the calling of a Convention.

"The persons qualified to vote for Representatives shall at the general election to be held in the year 1797, vote also by ballot for or against a Convention." Here, he observed, was an express direction that all persons voting, should declare their opinion as to the expediency of a Convention. "They shall vote for or against a Convention." Then follows the rule of conduct to be observed by the Legislature. "If therefore it shall appear that a majority of all the citizens in the state, voting for Representatives, have voted for a Convention, the General Assembly shall direct that a similar ballot shall be taken the next year." The preceding clause, observed Mr. Taylor, had made it the duty of all persons voting for Representatives, to vote for or against a Convention. This clause, presupposing that the intent of the former one had been complied with, — presupposing that all voting for Representatives had actually voted for or against a convention, — adds, that if it shall appear that a majority of those voting for Representatives are in favor of a change, the ballot shall be repeated the succeeding year. The expression "voting for representatives" was clearly synonymous with "voting for or against a convention;" — the constitution knows of no distinction — it acknowledges no voters in the year 1797 who did not express their sentiments on the subject of a convention — those who voted for representatives without voting for or against a convention, had acted unconstitutionally, and it would be a solecism in the extreme to say, that those very votes, — votes which were unknown to the constitution, votes which said nothing — votes which were given in defiance of the express letter of the constitution; — it would be the height of absurdity to say, that all those votes should be acknowledged as legal votes — should be enlisted in favor of that constitution — should all be made to mean that they were against a convention. No, — so far were they from being entitled to so much weight, that the constitution disown them altogether. They were not good votes: they were not good even for representatives: so far from being confined to imply more than they expressed, they ought to have been rejected altogether. He would, therefore, move as an amendment to the bill before the committee, "that at the subsequent election, all persons should express on their ballots either for or against a convention, and that all ballots entirely silent on the subject, should be deemed null and void, both as to a convention and as to representatives."

Mr. Thomas conceived this motion to be introduced prematurely. There were certain papers sent to the house of representatives by the senate, which having been referred to a committee of the whole, ought unquestionably to be taken up. He conceived it right to take a full view of all the information before them, previously to their proceeding to act on the bill. He therefore hoped the papers would be read.

Mr. Taylor hoped his amendment would be first decided on. If it were adopted, there would be no necessity for reading the papers. They already knew that out of those who had voted for or against a convention; there was a large majority in favor of it. The sheriffs returns shewed this. If then the committee agreed that the silent votes were no votes; there could be no necessity of going any further: — The papers were needless.

Mr. James Smith, was clearly of opinion that in order to ascertain how the majority stood on the subject of a convention; they had nothing to do with any votes but those either for or against. The whole dispute originated in one ambiguous sentence. The constitution, however, is clear in say-

ing that all voting for representatives shall vote for or against a convention. So far there could be no doubt. But then came the questionable phrase, "Voters for representatives." How then is this ambiguous clause to be interpreted? Shall it be interpreted so as to make it consistent with the plain, unequivocal, intelligible language that goes before it? Shall it be interpreted agreeably to reason, to propriety, to consistency? Or shall it have a meaning fixed upon it at war with the context, and with common sense.

As to silent votes, they were never heard of in the world before; they were altogether a new thing under the sun. Was it ever known when it was directed to say *Yes* or *No*, that the silent man was reckoned *no*? It is nonsense. There can be no such thing as a silent vote. To talk of a silent man's voting, is as absurd as to talk of a dumb man's speaking, or a blind man's seeing.

Mr. Thomas still thought that there was an impropriety in refusing to have the papers read. They were referred to them for that purpose. The reading of them compelled them, to no particular measure. After having read them, they might dispose of them as they saw proper.

Mr. Taylor objected to their being read, on the principle, that they counted such votes, and obtained a knowledge of those votes by such kind of testimony, as the constitution did not authorize. The senate's communications stated the reports of private individuals, very partially given, and which they had no right to pay any attention to.

Mr. Garrard wished the papers might be read. They could afterwards determine what attention was due to them.

The papers from the senate were then read, together with copies of letters from sundry sheriffs, to the secretary of state. The papers consisted of a statement of the sheriff's returns, — examinations of different persons before the senate, in order to ascertain the state of the polls, where the proper officers had made either no reports or imperfect ones, and a general view of the result from those different sources combined. The papers being read,

Mr. Johnson rose. He began with observing, that as a constitutional question had come before the committee, it was necessary to enquire into the mode of exercising our constitutional right to change our form of government. Three ways had been devised by that instrument itself, by the bill of rights, which declared that the people have at all times an unalienable & indefeasible right to alter, reform, or abolish their government, by two thirds of both branches of the legislature calling a convention, & by a majority of the electors voting in the successive years of '97 and '98, in favor of a convention. Any man, said he, who attempts to do it in any other way is an usurper. Should any doubt arise as to the meaning of the constitution in its provision to this effect; the proper way to understand it would be to take the whole instrument together, and if it turned out that any clause would admit of two constructions; that which is the most consistent with other parts, should undoubtedly be preferred. He then read the Xth article of the constitution. Ambiguous as the first part of this article might be; it was afterwards sufficiently precise and clear to fix its meaning. It plainly pointed out where in the majority was to consist, which should determine the legislature to pass such a law as that before them. It was to be a majority of all voting for representatives; and left the idea should be left eight of, the very same words were again repeated a few lines below. What conclusion then is to be drawn? Undoubtedly that to justify the assembly in directing a second ballot, it should appear that a majority of all voting for representatives had actually voted for a convention. — If there were any who had not voted for a convention, they were to be considered as not wishing it; they were to be considered as against it. If, said he, you go upon any other principles — if you reject the silent votes, if you will not count them against a convention, — you violate two parts of the constitution, in order to put an unreasonableness upon a single part. He would state a case which would place the impropriety of this proceeding in a most evident point of

view. Suppose that there are 20,000 voters in the state. There are three men who vote for a convention: two are against it: 19,995 are silent. Then by this rule, of rejecting the silent votes, a convention must be called. But by whom is it called? By the people? By the 20,000? No. By 10,000? No. It is called by a majority in five. The wisdom of the people in the formation of a constitution, has provided then, that three foiliary individuals, may alter or abolish their form of government.

But by the bill of rights it is the people who have this power. And who are the people? All the people: a majority of the whole community of free men. Whilst the constitution, to render the actual exercise of this power the more easy, has reduced it to a majority of all voting for representatives. It must, however, be a majority of all. That word was twice repeated. It was emphatical, and he could not reconcile it to himself to pass a bill authorizing a second ballot, unless it appeared, that a majority of all the citizens voting for representatives, had voted for a convention.

Mr. Thomas stated, that the difficulty which he felt in this business, arose from another quarter. He did not wish to reject the silent votes. Where the business had been fairly underflood and proper returns had been made; there they were bound to consider the silent votes as against a convention. But what, said he, is the real state of the case? The greatest pains had been taken to procure information from every quarter, but after all it was very imperfect. From some counties there had been no returns: they could give none. To supply the defect, certain members of the house and other individuals whom they had accidentally met with had been called upon by the sheriff. And what was the consequence? Could they now see the actual situation of the business? Were deficiencies supplied? Were errors corrected? No. The reports of those individuals were vague and contradictory. Nothing could be collected from them. They ought, therefore, to be altogether thrown aside. The official returns from the sheriffs, were alone entitled to their regard. It is not our duty, observed Mr. Thomas, to take up with what this or that man said. If that would have done; if the reports of individuals would have been a proper test by which to ascertain the sense of the people — the constitution would have said so: it would have left the business entirely in the hands of the people's representatives, and have made them in this or other instances the organs of their constituents. The constitution, however, had provided another mode; and that mode only ought to be regarded. At the last session, the legislature, thinking it probable that the constitutional provision respecting a convention might be overlooked, had deemed it expedient to pass a law, pointing out the time for voting respecting a convention. It now appeared that they had made no sufficient provision for promulgating that law. In some counties it had not been heard of. Was it right to hunt up testimony as to the number of votes which had been given there, and then to count all those votes against a convention, though it did not appear that the voters knew anything about the matter? Might not such persons properly complain that they had been dealt with unjustly and partially?

Where returns had been made, he did not object to the silent votes. When the assembly first met, he had been clear for obtaining all the returns possible. Those returns had been obtained. And what was the result? The result was, that adding to the votes against a convention, the silent votes, which he thought they ought to do — there was a majority on those returns in favor of a convention. It was their duty therefore to direct a second ballot, and he should vote for the bill.

Mr. John Caldwell did not think it worth while to take up the returns at all. Nothing decisive appeared from them. From some counties there were no returns: from others the returns were very imperfect. Nothing could be done with them. Let them lie on the table, and pass a law agreeably to the bill of rights, and direct the sheriffs to take a vote. He

would acquiesce in such a measure; but he could not vote for any bill, stating that it appeared to the house that a majority of the electors had already actually voted for a convention.

Mr. Taylor agreed with the gentleman upon some fine lines (Mr. Johnson) that any man who should attempt to assemble a convention in any way contrary to that which the constitution authorized would be an usurper: but he, (said Mr. Taylor) who attempts to stifle the voice of the people, merits the same appellation. There is no difference between usurping the power of the people, and with holding from the people the power which they have a right to exercise. He had heard a great deal about silent votes. It was an expression, however, which communicated to his mind no idea. What kind of a vote is it? Was it ever heard before that a man could vote without opening his mouth, — without doing any act which was meant as a declaration of his will? The idea was preposterous. Apprentices seemed to be entertained of great masters attending a convention. From whence could such apprehensions arise? What real ground of fear could possibly exist if that the people should wish to have a convention, their representatives in that assembly would not be governed by good sense and wisdom? Such an assembly had formed a constitution. Had the people since that period to much degenerated, that they could not be trusted to review and to amend their own production? Had the effects produced by this constitution been so destructive, and so disturbing, that nothing was wanting to abrogate it, but an opportunity? No; it is bad for the most part afforded general satisfaction. A few amendments only were wanted, — and these might certainly be made without endangering the whole. Let the people act quietly, without opposition & they will act with discretion. But, said he, if you once attempt to fetter, you will exasperate the public mind. You may call them *free-men*: but the mere epithet of free-men will not satisfy — they must enjoy the privileges, as well as bear the name of free men.

Mr. James Smith observed, that a gentleman on the other side of the question had just now allowed that whatever construction the constitution would admit of as to render it consistent with itself should be adopted. Why then did he not point out the consistency of his construction of it? Why did he not show how it agreed with other parts of the constitution, that those who wanted a convention should vote, and that those who were against a convention should not vote at all? Why did he not show the consistency that the electors should direct that the electors should vote for or against a convention, as they should severally choose to do, — and yet that their voting against a convention was altogether needless, as their silence was to be construed into a vote against it? This would have been the plain and convincing way of maintaining his construction of the article in question.

Mr. Purviance rose with the constitution in his hand. He read the clause which had been so much the subject of discussion. To him it appeared beyond a doubt, that the silent votes were altogether out of the question. The article directed that all those qualified to vote for representatives, should vote for or against a convention; and then proceeds "if thereupon it shall appear," &c. — — — — — therupon: — upon what? clearly upon a view of the votes as before directed to be given: — upon a view of the votes for and against a convention. This then is the criterion: — it is from this it must appear how the majority stands affected as to the calling of a convention. In the latter part of the article it is directed that if it shall not appear from the ballot that a majority has voted for a convention; — it shall not be called: but how is it to appear that a majority is not in favor of a convention unless a majority has voted against it.

The question, however, is of little import: since it is evident from the official returns, that a majority of all the voters is in favor of a convention. And what will the citizens think of the legislature if they are not satisfied with official returns, which are to be presumed the best that can be made; — it will look out for information from other sources? The effects, however, may be different from those which

are contemplated. The reluctance of the legislature to do the people justice, will make them more careful to do justice to themselves. It will rouse them. It will aninate them. It will determine them not to be imposed upon. They will call for a convention, and they will call for it unanimously. (To be continued.)

PARIS, October 18.

PEACE WITH THE EMPEROR. A Letter from general Bonaparte, to the Executive Directory, contains the following:—"general Berthier & Ciuizen Monge will carry to you the definitive treaty of peace, which has just been signed between the Emperor and us."

November 10.

It is said that the directory demands of the American plenipotentiaries—1st, whether their instructions allow them to give satisfaction for the outrage offered the French government, in the speech the President made on the 16th of May last, at the opening of Congress? And 2ndly, whether they are authorized to re-establish the respective position in which the states stood in 1778, and to annul in the posterior treaties all the clauses injurious to the interest of the French republic.

LISLE, October 30.

Chappe, Director of the Telegraph, to the Municipal Administration of Lille.

"Citizens,  
"I haiten to announce to you that  
Peace is concluded between the French  
republic and the Emperor."

"P. S. Mantua belongs to the Italian  
Republic."

NORFOLK, January 4.

The following paragraph concerning our commissioners, taken from a Glasgow paper of the 13th November corresponds with that under the Paris date of Nov. 10.

Letters received here from London mention it as a current report there, that the French had refused to treat with the American Commissioners, unless they would, as a preliminary, annul their treaty with this country; and that the commissioners having no such powers, had, in consequence, been ordered to quit Paris.

PITTSBURG, Jan. 20.

By a gentleman of this country who left Natchez about the 2d of November last, we understand, that all was peace in that quarter at that time; the Spaniards twenty or thirty strong, were in possession of the fort, under the command of capt. Minor, who lived out of it.—Lieut. Pope had about 80 men, and was encamped near the town; he informed that gentleman that he understood col. Grandpre with a body of troops was ascending the river to Natchez, and the lieutenant said he expected a fight.—Previous to gov. Gayoso's departure to New Orleans he had a difference with the people concerning a Baptist or methodist preacher who had been confined in the fort, the governor ran in the night from his own house and took refuge in the fort, where the people kept him cooped up until he agreed to certain stipulations prescribed to him, the particulars he does not recollect, but says they respected the security of persons against imprisonment, trial, and punishment, without being confronted by their accusers.—No French troops had landed in Louisiana.—Col. Howard commanded at the Walnut Hills, at which place our informant was in October, and he says it is very strong.

Lexington, February 14.

Yesterday the legislature adjourned: the next session will be held on the first Monday in November next. They have passed upwards of one hundred laws, of the greater part, the following are the titles:—

1. An act concerning the escape of debtors, and other prisoners.  
2. Allowing a bill of exceptions to be sealed.  
3. Providing that wrongful alienations of lands shall be void so far as they be wrong.  
4. Reducing into one the several acts for apprehending and securing runaways.  
5. For reforming the method of proceeding in writs of right.  
6. Reducing into one the several acts concerning servants.  
7. To empower securities to recover damages in a summary way.

8. For preventing trespasses, declaring what shall be a lawful enclosure.

9. To reduce into one the several acts concerning elections.

10. Appointing commissioners for the sale of part of the lands of Angus Cameron.

11. Concerning attorneys.

12. Authorizing John Bailey to locate certain vacant lands.

13. Declaring when the death of persons absenting themselves shall be presumed.

14. Providing that actions popular prosecuted by collusion shall be no bar to those prosecuted with good faith.

15. To reduce into one the several acts establishing district courts in this commonwealth.

16. Concerning constables.

17. Concerning escheators.

18. Concerning the owners of salt and salt-petre works.

19. Concerning the inspectors of tobacco at the rapids of Ohio.

20. For the relief of John Funk.

21. Authorizing the establishment of fire companies.

22. Concerning waste.

23. To reduce into one the several acts for regulating the inoculation of the small pox within this commonwealth.

24. To amend and revise the act entitled the act for encouraging and granting relief to settlers.

25. For the sale of a public lot.

26. Authorizing a lottery.

27. To reduce into one the several acts concerning the auditor and treasurer.

28. To reduce into one the several acts concerning slaves, free negroes, mulattoes and Indians.

29. Authorizing a lottery in the town of Washington, and for other purposes.

30. To reduce into one the several acts for the better regulating and collecting certain officers fees.

31. To reduce into one the several acts concerning bills of exchange.

32. Concerning the marriage of Elizabeth Jones.

33. Appointing public notaries.

34. To reduce into one the several acts for ascertaining the salary of the officers of civil government.

35. Altering the time of meeting of the general assembly.

36. Regulating the solemnization of marriages.

37. To help and speed poor persons in their suits.

38. For the better regulation of Bairdstown.

39. Authorizing the sale of the lands of Jeff Morgan, dec. for the benefit of his creditors.

40. To amend an act entitled an act to regulate and discipline the militia of this commonwealth.

41. Concerning witnesses, and prescribing the manner of obtaining and executing commissions for taking their depositions in certain cases.

42. For the safe keeping of prisoners committed under the authority of the United States into any of the jails of this commonwealth.

43. To amend an act entitled an act for selling part of the lands of which Alexander Reid died seized and possessed.

44. For altering the time of holding courts in the county of Montgomery.

45. Against fury.

46. Authorizing trustees to sell the lands of Maurice Nagle deceased, for the benefit of his creditors.

47. To amend the penal laws of this commonwealth.

48. Allowing William Croghan, and James Thompson, compensation for running the line from the head of Green River to the Cumberland mountain.

49. To amend the act entitled an act to vest the estate of Joseph Barnett deceased, in commissioners for the benefit of his creditors.

50. To amend the act entitled an act to amend and reduce into one the several acts regulating the town of Lexington, and for other purposes.

51. To amend the act entitled an act concerning the original title papers to land in this state, remaining in the register's office in the state of Virginia.

52. Concerning coroners.

53. To reduce into one the several acts for establishing a land office.

54. Declaring that infants may be by their next friend.

55. To amend the act to reduce into one the several acts for limitation of actions.

56. Prescribing the mode of obtaining

writs of certiorari, declaring the cases in which those writs shall be lawful.

57. Providing that the exception of non-tenure of parcel shall not abate the whole writ.

58. To amend an act entitled an act concerning the poor.

59. For the better regulation of towns.

60. To reduce into one the several acts regarding clerks.

61. Concerning a lottery in the town of Danville.

62. To amend an act entitled an act to establish a town in the county of Mercer.

63. For fixing the seat of justice for Madison county, and for other purposes.

64. For the endowment of certain seminaries of learning, and for other purposes.

65. For ascertaining the line between the counties of Logan and Warren.

66. To amend an act entitled an act for establishing the Kentucky academy, and incorporating the trustees.

We have received by the last mail, the definitive treaty between the emperor of Germany and the French Republic—also the treaty with the king of Sardinia. They both appear to be favorable to France.

#### NOTICE.

THAT commissioners appointed by the county court of Fayette, will meet on the sixth day of March if fair, if not the next fair day, at the house of Mr. William Hamilton, on Canerun, in order to take the deposition of sundry witnesses, and perpetuate their testimony, for the purpose of establishing the calls in an entry of 500 acres of land, made in the name of William Stanford, on the 14th of February 1783; and to do such other acts as shall be deemed necessary and agreeable to law.

JOHN BR'DFORD,  
Attigee of WILLIAM STAFFORD,  
Feb. 13, 1798.

#### NOTICE.

INTENDING to sail on the 10th of next month to Baltimore and Philadelphia, I earnestly request all persons indebted to me to pay off their respective accounts before that day. Persons to whom repeated personal applications have been made must not expect any indulgence after the aforesaid date.

I have on hand a well chosen assortment of MERCANDIZE, which will be sold very cheap for cash.

WILLIAM WEST.

February 12.

OH YES! OH YES! OH YES!

AS I have been prevented from starting to Philadelphia by my failure in collections, and finding but little attention paid to my late notice, I have made out a list of accounts, &c. due to me, and have given them to John Arthur, with orders to every person who does not pay in one week from this date.

P. JANUARY jun.  
Lexington February 13, 1798. 27

#### FOR SALE,

ALL the lands belonging to John Cockey Owings, in this state.—After his share in the iron Works—for terms apply to

B. VANPRADELLES, attorney

in fact for John Cockey Owings.

CAUTION all persons against taking an assignment of an assignment on an order drawn on me by Henry Turner, in favor of George Brown, for about forty pounds, or an assignment on said Turner's note, to pay said Brown the above sum, as he has a receipt against said note—and I do not intend to pay the amount of said assignment till I obtain a settlement with said Brown.

ELIJAH CRAIG.

February 13, 1798. 31

#### EXCELLENT CABBAGE SEED

For sale at Mr. Joseph Oliver's store near the Printing Office hereof.

TAKEN up by the subscriber, living on the South fork of Elk River in Fayette county, a fore horse about fifteen hands high, a small star on his forehead, a white spot on his right side, also a blemish on his right eye, about 6 years old, appraised to go dollars.

#### Transylvania Library.

AS a considerable number of the subscribers to the Transylvania Library, have not yet paid up their subscriptions, they are once more requested to pay the price of their respective shares to Thomas T. Barr, who is authorized by the committee to receive the money, and issue to them the proper certificates. The committee flatter themselves that a sum for this purpose appropriated to purpose the most handable—containing nothing less than the general information etc. etc. which will secure the sufficiency of compulsory measures to procure a compliance on the part of the subscribers.

JOHN A. SEITZ,  
R. STEWART,  
C. HUMPHREYS,  
M. BELL,  
G. TROTTER,  
T. T. BARR.

N.B. Those gentlemen who are in possession of subscription papers, are requested to forward them to T. T. Barr.—And those who have Library books in their possession, are requested to return them to the Library as soon as possible.

Squares may be had of any of the members of the committee at the rate of five dollars per square. Books of approved merit will be received in exchange. The committee will meet at the Seminary on the first Saturday in every month, at 3 o'clock, P. M. when the books are to be presented for revision. In the meantime squares may be had for cash above.

By order of the committee.

T. T. BARR. CLK.

At a meeting of the board of Trustees of the Transylvania Seminary, February 13th, 1798.—RESOLVED, that this board do adjourn to meet again on Thursday the 13th instant at 3 o'clock, P. M. at the house of Mr. John M'Nair.

By order of the Board.

E. I. BRADFORD, CLK.

#### NOTICE.

THAT commissioners have been appointed by the county court of Fayette for dividing the land of William Tandy, sen. deceased, all persons will therefore take notice, who are interested, that on Thursday the first day of March, the county surveyor, or one of his deputies, will attend to survey the whole of laid land, and afterwards proceed to lay off for John Tandy, one of the devisees, one fourth part, agreeable to the will of William Tandy, and that the commissioners aforesaid will proceed to take the depositions of such witnesses as will perpetuate the testimony necessary to establish the line run by John Bradford; and do such other things as may be requisite and agreeable to law, in order to establish the late purchase of John Tandy's part.

MOSES BLEDSOE.

#### FOUR FENCE REWARD.

AN away from the subscriber, living one mile from Frankfort, an apprentice boy named William Kerston, about four feet nine inches high, is never at a loss to tell his story, flow in speech, down look, hardy flow boy, about fourteen years of age, is on a brown horse coat and waist leather breeches, worn stockings, strong shoes. Whoever takes up said William Kerston and brings him to his master, shall have the above reward, paid by me. WILLIAM PORTER, Franklin county, 2, 1798.

#### SIX FENCE REWARD.

UN away from the subscriber, on the 20th of January, 1798, an apprentice boy, named Jonathan Anderson, about fifteen years of age, had on, and took with him a black linsey jacket and overalls, a drab colored sailor's jacket, and old hat, has a down look, and sandy hair. Whoever takes up said boy and brings him to me shall have the above reward, but no thanks, by me.

ROBERT LENON.

PASSED a bond to Capt. William McCall of Frankfort, for sixty-six pounds some oddings, paid in October 1797, in exchange for a bond on Daniel Gano of said town, for which I warn all persons from taking any assignment on said bond, as I am determined not to pay it until said Gano pays his to me.

ARTHUR CONNELLY.

February 1, 1798.

AKEN up by the subscriber, a wood county, on the head of Row river, one black horse fourteen and a half hands high, a small star on his forehead, a white spot on his right side, also a blemish on his right eye, about 6 years old, appraised to go dollars.

ANDREW M'KNIGHT.

December 14.

TAKEN up by the subscriber, in Garfield county, near Allcorn's mill, a gray mare, about three years old last spring, fourteen hands and an inch high, no brand perceptible, long dock, appraised to 121.

CALE DARNLEY.

JAMES RITCHIE



#### SACRED TO THE MUSES.

##### ON VICISSITUDE.

IN life what various scenes appear;  
How differs every day.  
We now, the face of comfort wear,  
To-morrow of dismay.

As light and darkness each succeed,  
So pleasure follows pain;  
Our spirits, drooping while we bleed,  
They brisker flow again.

Winter and summer have their turns,  
Each vail its rising hills;  
One hour the raging fever burns,  
The next an ague chills.

A mind at ease and free from care,  
Can paradise excell;  
But when in trouble and despair,  
A palace then is hell.

##### ANECDOTE.

An Irishman travelling in a street that was paved, a dog accosted him with a threatening growl.—The traveller attempted to pull up one of the paving stones to throw at him, but it was fast. "Arrah, says Paddy, what a country is this, where stones are tied, and dogs let loose!"

##### MAXIM.

Make no use of an oath to affirm, or deny any thing—be satisfied with saying, yes, no, it is so, it is not so.

FOR SALE OR BARTER,  
That high, healthy, fine watered farm,  
FAIRVIEW,

Of two hundred and fifty-five acres, superior to any tract of land in the Western country, not a water course; upwards of one hundred acres under good fencing, with gardens, paddocks, orchards, and vineyards. It borders with fine water, the drift season; a large dwelling house, kitchen, smoke house, spring house and barn; these buildings are of the best quality, built of the most lasting timber, and founded on stones, which makes cellars and stables superior to any in the Western country. Any gentleman disposed to purchase, or give military land south of Green river, may exchange with me on generous terms, and possession given as soon as can be made convenient by

SIMEON BUFORD.

N. B. Lard on Skaggs's or Beaver creek will be preferred.

3w

##### Take Notice,

I WILL petition the court of Harrison county at their next April court, for leave to establish a town at the mouth of Beaver, on main Licking, in the county aforesaid.

BENJAMIN HARRISON.

##### To distillers and others

WHO may incline to carry on the business of rectifying spirituous liquors and the manufacturing cordials in an extensive manner, may now be supplied with the necessary articles for carrying on the same, by applying at the sign of Andrew McCull's Apothecary, near Gray's Ferry, Lexington. The articles principally forming the following articles, viz.— Spirits, rectified water, distilled water, water-diluted, wine, &c. Also for making brandy and geneva equal in flavour and purity to that imported.—There are upwards of 3000 of Holland juniper berries, and roots, unpeeled, which may be purchased distinct from the other articles, if applied for soon. Any person or persons inclining to purchase the whole, or the Juniper berries or Annie seed alone, or the whole of the articles for making brandy and cordials, will (if required) receive genuine instructions gratis, how to use them to the greatest possible advantage.

Also, an exceeding good COPPER STILL, almost a quarter of an inch thick, containing between 300 gallons, with a worm made of the very best pewter, having ten turns and weighing upwards of 500 lbs, with a large quantity of wrought iron suitable to set up the still in the completest manner—the whole of which will be sold together on very low terms, and instructions given for fixing the works in the most complete order, so that it can be worked with more ease than many stills are now of.

N. B. Cordials can be made to more advantage in warm than cold weather.

Also, a FARM, of one hundred acres or upwards, on the waters of Tates's creek.—It is but one mile and a half from Winter's mills, and four miles from the Kentucky river. Four acres of which is excellent timothy meadow, a very good hewn log house, nearly two stories high, with an excellent spring not ten yards from the house—also, a good stable, sufficiently large for four horses. On the said plantation there is a good public mill seat and two branches sufficiently large to erect a mill large enough to carry on the brewing or distilling business. The place will be sold cheap as the possessor is in want of money.

J. GEARY.  
Samples of several sorts of the cordials Mr. McCull's.

Mr. McCull's.

#### David Humphreys,

##### CLOCK & WATCH-MAKER,

RESPECTFULLY informs his friends and the public in general, that he carries on his business in all its various branches, in Capt. Kenneth McCoy's house on Mill street, the second house from Short street, Lexington.—Those who please to favor him with their custom may depend on having their work done in the neatest and best manner and on the shortest notice.

##### NOTICE.

THE subscriber intending to start for Philadelphia on the fifteenth of January next, is obliged to call on those indebted by note, book account &c. to him, for payment. If it is not then made, he will feel himself infamable in placing notes, accounts, &c. in the hands of proper persons for collection.

P. JANUARY, Jan. Lexington, December, 19, 1797. 4f

THE subscribers have a quantity of HEMP in town to break, for which service they will give 7/6 per 12 lbs.

DAVID DODGE, & Co.

Lexington, Jan. 31, 1798.

##### NOTICE.

THAT application will be made to the county court of Lincoln, at their May court, by the subscriber hereof, for an order to establish a town to be called New-Gardner, on part or a tract of land formerly the property of Charles on which was then well known placed called English's Station, also for a writ of summoning and voting in certain trustees, the aforesaid premises, agreeably to an act of the General Assembly of Kentucky, entitled, an act concerning the establishing towns.

LUCAS SULLIVANT.

Jan. 31, 1798. Town of Washington.

TOBACCO MANUFACTORY.

THE subscriber informs his friends and the public in general, that he continues to carry on the manufacture of tobacco, in all its various branches, equal to any in this state, nearly opposite lawyer Hughes's, on Main street, where he intends to have a quantity ready for sale, wholesale and retail. Those gentlemen who please to favor him with their custom may be supplied on the shortest notice. A considerable credit will be given, when paid in wholesale, by giving bond with approved security.

JACOB LAUDEN.

Lexington, Jan. 15, 1798.

A WELL disposed lad, of good character, may hear of a place where he can get into good business by applying to the printer.

January 22, 1798.

EDWARD WEST,

On High Street, Lexington.

RESPECTFULLY informs the public, that he has a quantity of fine leather ready to serve any gentleman who may please to favor him with their custom. He will carry on the Silver, Gold, and Watch businesses, in their various branches—and from a supply of materials and hands, he expects to have in a short time, will be able to dispatch business on the shortest notice.

December 19.

A HINT.

ALL persons indebted to the late partners of BOGGS & ANDERSON, thence to call and pay off their respective balances, before the first day of February next, as depend on having their accounts placed in the hands of proper executors for collection.

JOHN M. BOGGS.

Geo. ANDERSON.

January 12, 1798.

TAKEN up by the subscriber, living in Warren county, on Blue Spring creek, a black filly adjoined to two old years old last spring, both hind feet, and one forefoot white, a white spot on the near shoulder, neither docked nor branded, about 13 hands high, appraised to 10.

RICHARD GARNETT.

TAKEN up by the subscriber, on a branch of North Elkhorn, a chestnut foal Mare, about fifteen years old, a black in her face.

Also, a filly, three years old, a bright bay, a large star, one foot white.

Also, a two year old colt, not castrated, a blaze in his face, all branded IP, on the near buttock, appraised to 10.

JOHN CRAWFORD.

November 6, 1797.

Taken up by the subscriber living at her on the Kentucky river, Mercer county, a dark bay mare about 14 hands 3 inches high, appears to be 10 or 12 years old, has a star in her forehead, foal before, no brand perceptible, a long tail, a star on her off thigh, appraised to 18.

JOSEPH DELANY.

Dec. 6, 1797.

TAKEN up by the subscriber, living on the waters of Salt river, near Cafey's mill, Mercer county, a light foal mare three years old, four white feet, large bald face; her left, a pale eye, her off limb, no brand perceptible, 18.

WAKHTON RANDALL.

November 28, 1797.

JOSEPH DELANY.

Dec. 6, 1797.

TAKEN up by the subscriber, living on the waters of Salt river, near Cafey's mill, Mercer county, a light foal mare three years old, four white feet, large bald face; her left, a pale eye, her off limb, no brand perceptible, 18.

WALTER BEALL.

November 29, 1797.

WALTER BEALL.

Dec. 6, 1797.